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Supreme Court of the United States

OCTOBER TERM, 1952 1953

No. 8 1

OLIVER BROWN, MRS. RICHARD LAWTON, MRS.
SADIE EMMANUEL, ET AL., APPELLANTS,

vs.

BOARD OF EDUCATION OF TOPEKA, SHAWNEE
COUNTY, KANSAS, ET AL.

APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF KANSAS

FILED NOVEMBER 19, 1951

Probable jurisdiction noted June 9, 1952

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A. I am not here as an expert on history, but I read history that way, yes.

Q. Surely. Don't you realize that the experience of that period was that they had a tremendous amount of trouble, tremendous amount of emotional outburst and that it caused a great deal of strife between the races and didn't work at all.

[fol. 263] A. Well, if the Court wants a layman's opinion on history, I will answer that question to the best of my knowledge as a layman on history; I am not here as a historian.

Judge Huxman: It seems to me the question is going far afield.

Mr. Goodell: That is all.

Judge Huxman: Any further questions of the doctor? If not, you may step down, doctor.

(Witness excused.)

WILBUR B. BROOKOVER, having been first duly sworn, assumed the stand and testified as follows:

Direct Examination.

By Mr. Greenberg:

Q. Mr. Brookover, will you please state your full name.

A. Wilbur B. Brookover.

Q. What is your occupation?

A. I am a social psychologist by profession. The position I now hold is professor of social science, sociology, at Michigan State College.

Q. What degrees do you hold, Mr. Brookover?

A. I hold an A.B. Degree from Manchester College, a Master of Arts Degree and a Doctor of Philosophy Degree in sociology and psychology from the University of Wisconsin.

Q. Are you a member of any learned societies, Doctor?

[fol. 264] A. I am a member of the American Sociological Society, Society for Applied Anthropology, Society for the Psychological study of Social Issues, the High Valley

Sociological Society, Michigan Academy of Science, the American Association for the Advancement of Science.

Q. What is your field of special interest, Dr. Brookover?

A. I am particularly concerned in my teaching and research in the field of social psychology with particular reference to the human relations in the school society, or the school as a social institution and in relations between minority groups and majority groups in society.

Q. Are you the author of any books or publications?

A. I am the author of several articles on various topics concerned with social relations between teachers and pupils and other aspects of social factors in education. I am also the author of articles concerned with relation of these social factors to teaching—to pupil achievement. I have published articles on the impact of social stratification on education, one that is in press at the present time to appear in the Journal of Educational Theory. I am also the author of articles concerning social factors in relation to citizenship education, an article to appear in the 1951 yearbook of the National Council of Social Studies, now in press. I have in preparation a book to be published by the American Book company that will be entitled "The Sociology of [fol. 265] Education." I am a joint author of a book now in preparation; it's a monograph which will report research which—committee of which I was chairman conducted on minority groups in Maple County, which is a midwestern community.

Q. Other than what you have stated, have you devoted any special study to the problem of the effect of racial segregation on the individual?

A. Well, the monograph which I last mentioned grows out of a rather extended project still in process on the analysis of minority group relations in midwestern society. I have inaugurated at the present time, designed a study to analyze the dynamics of prejudices among youth.

Mr. Goodell: I didn't get that.

The Witness: The dynamics of prejudices among youth in a midwestern school community.

Q. Now, Dr. Brookover, I am going to ask you a hypothetical question which I would like to have you answer

on the basis of your learning. Assume that in the City of Topeka there is maintained a racially segregated school system. Would you say that the negro child who attends the racially segregated school receives the same benefits as he would receive from attending a racial integrated school, if all other factors were equal?

A. No, I would not.

[fol. 266] Q. On what do you base your opinion?

A. Well, I would say, first of all, that I would want to emphasize the nature of the educational process in this respect: Education is a process of teaching youth to behave in those ways that society thinks is essential. In our society it has long been held that this is a necessary function, to prepare democratic citizens. Now, the child acquires these essential behavior patterns in association with other people. In other words, they are not fixed; they are not inherent in the behavior of the child, but they are acquired in a social situation. Now, in order to acquire the types of behavior that any society may expect and to learn how to behave in various situations, the child must be provided an opportunity to interact with and understand what kinds of behavior are desired, expected, in all kinds of situations. This is achieved only if the child has presented to him clearly defined models.

Q. What do you mean by models, Professor?

A. Examples, illustrations of behavior; persons behaving in the ways that are—that the child is expected to behave and also consistent behavior of this sort. In other words, of an example, one kind of a model, and another time he is expected to behave if at one time he is presented one kind of an example, one kind of model, and another time he is [fol. 267] presented another kind of a model, and there is a constant confusion. Now that, I think, leads us immediately to the situation with regard to segregated schools. In American society we consistently present to the child a model of democratic equality of opportunity. We teach him the principles of equality; we teach him what kind of ideals we have in American society and set this model of behavior before him and expect him to internalize, to take on, this model, to believe it, to understand it. At the same time, in a segregated school situation he is pre-

sented a contradictory or inharmonious model. He is presented a school situation in which it is obvious that he is a subordinate, inferior kind of a citizen. He is not presented a model of equality and equal opportunity and basis of operating in terms of his own individual rights and privileges. Now, this conflict of models always creates confusion, insecurity, and difficulty for the child who can not internalize a clearly defined and clearly accepted definition of his role, so he is faced with situations which he doesn't—he has two or three, at least two in this situation, definitions of how he is expected to behave. This frustration that results may result in a delinquent behavior or otherwise criminal or socially abnormal behavior. Now the negro child is constantly presented with this dual definition of his role as a citizen and the segregated schools perpetuate this conflict in expectancies, condemns the negro child to an ineffective role as a citizen and member of society.

Q. Dr. Brookover, this opinion and the reasons you have just given, are they supported by scientific authority?

A. Yes, there is extensive work been done by psychologists, social psychologists, on the whole theory of role-taking and the question of eternization of patterns of expectancy, such people as George Herbert Meade, Charles Horton Cooley and numerous other people have done extensive work, extensive research in the processes of personality development and learning a situation through social interaction.

Mr. Greenberg: That is all.

Cross-examination.

By Mr. Goodell:

Q. Doctor, I will just ask you one question: Have you ever heard of these people, all negroes: Mary McLeod Bethune of Sumter, South Carolina, who is president of the college there, Bethune-Cookman College, Daytona Beach, Florida.

A. I have heard of someone by the name of Bethune. I am not sure that I know.

Q. Richard Wright, Greenwood, Mississippi and Jackson, Mississippi, author of *Native Son*, negro.

A. I have.

[fol. 269] Q. Charles Johnson of Bristol, Virginia.

A. Charles Johnson, that I know.

Q. Sociologist and president of Fisk University.

A. I think that is in Tennessee.

Q. Perhaps so. Walter White, of Atlanta, Georgia, Executive Secretary of National Association for the Advancement of Colored People.

A. I have heard of him; don't know him.

Q. George Washington Carver, Neosho, Missouri, residence.

A. I have heard of him.

Q. Langston Hughes, poet and author; I believe from Kansas.

A. I have heard of him; don't know him.

Q. W. E. B. DuBois who was an author, I believe connected with Fisk University at Nashville.

A. I know a DuBois who is an anthropologist. I don't know if this is the one.

Q. Mordecai Johnson, Paris, Tennessee, president of Howard University, Washington, D. C., negro university.

A. I know the name; I don't know him at all.

Q. William Grant Still, a composer of Little Rock, Arkansas.

A. Don't know him.

Q. Negro. A. Philip Randolph, Florida, president of the Sleeping-strike that. Charles Wesley of Baltimore, Maryland, president of the university in Ohio; I don't have the town.

[fol. 270] A. I don't know him.

Q. Frederick Patterson, president of Tuskegee Institute, Washington, D. C.

A. I don't know him.

Q. Some of these men you know. Assuming they were all educated—got their preliminary education in segregated schools, a large part of them in the south, would you—did you consider that in arriving at your opinion here?

A. Certainly did. The fact that occasionally a person is able to overcome, through various readjustments and other

experiences, the conflict of roles, the conflict of models, does not disturb the generalization which I make, in the least. Certainly there are individual cases which either through psychotherapy or other experiences, the individual is able to overcome such difficulties. But this is not the general case at all.

Q. Well, there are many illustrations of emotional stress and strain among the white children who go to school and don't get—get sort of left out, don't make the football team or the basketball team or don't get invited to the parties, isn't that right?

A. Sure, there are differences in ability to adjust and there are emotional disturbances. The differences which you cite are not enforced differences. They are not inevitable in terms of the situation in which they come—in which [fol. 271] they operate. The child is not by fiat or legalization required to have presented to him this conflict.

Q. That is your opinion about what the law ought to be, in other words, is that it?

A. I would say on the basis of my testimony that the segregation of schools presents a conflicting set of models inevitably.

Q. This opinion you have given here is largely your own personal view based upon your study.

A. No, I wouldn't say it's my own personal view at all. I would say it's the result of a tremendous amount of research and evidence.

Q. I said study.

A. That is accumulated by social psychologists over a period of years and as I have studied and analyzed this research, I would come to this conclusion.

Q. You think you could be wrong?

A. Of course any scientist always presents the possibility or recognizes the possibility that new evidence and new research may modify to some extent the conclusions of a particular time.

Mr. Goodell: That is all.

(Witness excused.)